WATERS KRAUS & PAUL LLP
INGRID M. EVANS (179094)
ievans@waterskraus.com
SUNDEEP PATEL
spatel@waterskraus (242284)
711 Van Ness Avenue, Suite 220
San Francisco, CA 94102
Telephone: 415-296-6060

WATERS KRAUS & PAUL LLP
CHARLES S. SIEGEL (Pro Hac Vice)
csiegel@waterskraus.com
3219 McKinney Avenue
Dallas, TX 75204
Telephone: 214-357-6244

BONNETT FAIRBOURN FRIEDMAN
& BALINT, PC
ANDREW S. FRIEDMAN (Pro Hac Vice)
afriedman@bffb.com
KIMBERLY C. PAGE (Pro Hac Vice)
kpage@bffb.com
2901 North Central Avenue, Suite 1000
Phoenix, AZ 85012
Telephone: 602-274-1100

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DAPHNE P. RAND, by and through DEBRA L. DOLCHE, as Conservator of the Person and Estate of DAPHNE P. RAND, Conservatee, on Behalf of Themselves and All Others Similarly Situated, Plaintiff, v. AMERICAN NATIONAL INSURANCE COMPANY, a Texas corporation, Defendant.	**Case No. CV 09-0639-SI** CLASS ACTION **JOINT STIPULATION AND PROPOSED ORDER REGARDING BRIEFING AND HEARING SCHEDULE FOR DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

WHEREAS, on February 26, 2010, Defendant American National Insurance Company ("ANICO") filed a Motion for Partial Summary Judgment ("Motion").

- 1 -

1   WHEREAS, in order to adequately respond to ANICO's Motion, Plaintiff needs ANICO to

2 produce certain documents responsive to its discovery requests and to take a Rule 30(b)(6) deposition

3 of ANICO on topics relating to compliance with Cal. Ins. Code § 10127 *et seq.*, which the parties have

4 agreed will take place on or before April 16, 2010. ANICO has also agreed to produce documents

5 relevant to this Rule 30(b)(6) deposition prior to the deposition date.

6   WHEREAS, Plaintiff anticipates that it can file its opposition to ANICO's Motion within ten

7 (10) days of the completion of the aforementioned Rule 30(b)(6) deposition and ANICO anticipates

8 that it can file its reply in support of its Motion within seven (7) days of the filing of Plaintiff's

9 opposition.

10   NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the

11 Parties, through their undersigned counsel, that, with the Court's permission, the following discovery,

12 briefing and hearing schedule for ANICO's Motion shall be adopted:

13
14 ANICO's Production of policy documents
      establishing the contents of the policy packets
15 delivered to plaintiff and class members
      (e.g. Policy, application, cover, jacket, stickers, etc),
16 compiled in the same format and order as
      these materials are delivered at the time of the sale
17 to plaintiff and class members: March 25, 2010

18 Deposition of ANICO's Rule 30(b)(6) representative
      relating to compliance with Cal. Ins. Code § 10127,
19 *et seq.*:   On or before April 16, 2010

20 Plaintiffs' Response to Defendants' Motion
21 for Partial Summary Judgment: April 26, 2010

22 Defendants' Reply in Support of Motion
      For Partial Summary Judgment: May 3, 2010
23
      Hearing on ANICO's Motion for Partial Summary
24 Judgment: May   14 2010

25 //

26 //

27 //

28
Joint Stipulation and Proposed Order Regarding Briefing and Hearing Schedule

DATED: March 9, 2010   BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

                              By: _____/s/_____
                                   ANDREW S. FRIEDMAN
                                   Attorneys for Plaintiff DAPHNE P. RAND, by and through
                                   DEBRA J. DOLCH, as Conservator of the Person and Estate
                                   of DAPHNE P. RAND, Conservatee

DATED: March 9, 2010   WILSON ELSER MOSKOWITZ EDELMAN & DICKER

                              By: _____/s/_____
                                   THOMAS M. HERILHY
                                   Attorneys for Defendant AMERICAN NATIONAL
                                   INSURANCE COMPANY

                        ATTESTATION OF SIGNATURE

                        (N.D. Cal. General Order 45)

       Pursuant to General Order No. 45, § X(B), I hereby attest under penalty of perjury that

concurrence in the filing of the document has been obtained from all the signatories.

DATED: March 9, 2010   WATERS KRAUS & PAUL

                              By: _____/s/_____
                                   INGRID M. EVANS

                              ORDER

IT IS SO ORDERED.

DATED: _____

                              By_____
                                   The Honorable Susan Illston
                                   District Court Judge

Joint Stipulation and Proposed Order Regarding Briefing and Hearing Schedule